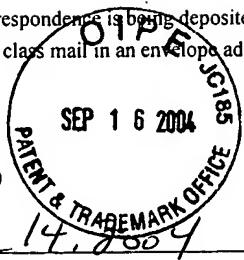


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Alexandria, VA 22313-1450



On September 14, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: M T D
Mark T. Davis

PATENT
Attorney Docket No.: 02558B-05941US
Client Reference No.: BRP00091
(divisional)

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael I. Watkins and Richard B. Edwards

Application No.: 10/734,957

Filed: December 11, 2003

For: MULTIPLEX FLOW ASSAYS
PREFERABLY WITH MAGNETIC
PARTICLES AS SOLID PHASE

Examiner: Not Yet Assigned

Art Unit: 1648

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

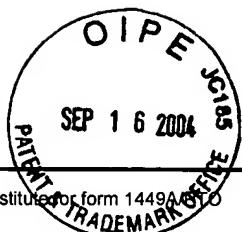
representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Joel G. Ackerman
Reg. No. 24,307

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60304579 v1



Substitute for form 1449A, GPO 2001 INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/734,957
				Filing Date	December 11, 2003
				First Named Inventor	Watkins, Michael I.
				Art Unit	1648
				Examiner Name	Not Yet Assigned
Sheet	1	of		Attorney Docket Number	02558B-059412US

U.S. PATENT DOCUMENTS+						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	US-5,561,070		10-01-1996	Stewart et al.	
	AB	US-5,567,627		10-22-1996	Lehnen	
	AC	US-5,601,983		02-11-1997	Takayama et al.	
	AD	US-5,840,587		11-24-1998	Stewart et al.	
	AE	US-6,023,540		02-08-2000	Walt et al.	
	AF	US-6,449,562 B1		09-10-2002	Chandler et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)		
	AG	WO	89/11101	A1	11-16-1989	
	AH	WO	90/07380	A2	07-12-1990	
	AI	WO	97/14028	A2	04-17-1997	
	AJ	WO	97/35201	A1	09-25-1997	
	AK	EP	0965044	B1	03-19-2003	
	AL	CA	2072548	A1	12-27-1993	
	AM	GB	1561042		02-13-1980	
	AN	DE	4427821	A1	02-01-1996	<input checked="" type="checkbox"/>
	AO	JP	61-132869		06-20-1986	translation provided
	AP	JP	63-036151		02-16-1988	abstract provided
	AQ	JP	05-093726		04-16-1993	abstract provided
	AR	JP	09-113512		05-02-1997	abstract provided

Examiner Signature		Date Considered
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO				Complete if Known	
				Application Number	10/734,957
				Filing Date	December 11, 2003
				First Named Inventor	Watkins, Michael I.
				Art Unit	1648
				Examiner Name	Not Yet Assigned
Sheet	2	of		Attorney Docket Number	02558B-059412US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	AS	BLANKENSTEIN, Gert; "Microfabricated Flow System for Magnetic Cell and Particle Separation"; 1997, <u>Scientific and Clinical Applications of Magnetic Carriers</u> , pp. 233-245.		
	AT	MELUI et al.; Standardization of Protamine-Coated Microbeads Using Flow Cytometry for Heparin Quantitation"; 1995, <u>Proceedings of the DGFZ Heidelberg Meetings</u> , 1 page abstract.		
	AU	SCILLIAN, James J. et al.; "Early Detection of Antibodies Against rDNA-Produced HIV Proteins With a Flow Cytometric Assay"; 1989, <u>Blood</u> , Vol. 73, No. 7, pp. 2041-2048.		
	AV	Spherotech, Inc. Catalog, table of contents and pages 8-9 and 16-17, 1992-1993.		
	AW	STEWART, M.W. et al.; Detection of Antiphospholipid Antibodies by Flow Cytometry: Rapid Detection of Antibody Isotype and Phospholipid Specificity"; 1993, <u>Thrombosis and Haemostasis</u> , Vol. 70, No. 4, pp. 603-607.		
	AX	VLIEGER, A.M. et al.; "Quantitation of Polymerase Chain Reaction Products by Hybridization-Based Assays with Fluorescent, Colorimetric, or Chemiluminescent Detection"; 1992, <u>Analytical Biochemistry</u> , Vol. 205, pp. 1-7.		
	AY	WIDE, Leif; "Noncompetitive Versus Competitive Binding Assays"; 2003, <u>Competitive Binding Assays</u> , pp. 243-254.		
	AZ	YANG, Gang et al.; "Flow Cytometric Detection of Human Immunodeficiency Virus Type 1 Proviral DNA by the Polymerase Chain Reaction Incorporating Digoxigenin- or Fluorescein-Labeled dUTP"; 1995, <u>Cytometry</u> , Vol. 21, pp. 197-202.		

Examiner Signature		Date Considered
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.